

108TH CONGRESS
2D SESSION

H. R. 3514

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2004

Received

AN ACT

To authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Pennsylvania National Forest Improvement Act of
4 2004”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Disposal of administrative sites, Allegheny National Forest, Pennsylvania.
- Sec. 3. Conveyance of Sheffield Ranger District Headquarters, Warren County, Pennsylvania.
- Sec. 4. Conveyance of Ridgeway Ranger District Headquarters, Elk County, Pennsylvania.
- Sec. 5. Conveyance of Marienville Ranger Residence, Forest County, Pennsylvania.
- Sec. 6. Disposition of funds.
- Sec. 7. Administration of land acquired by United States.
- Sec. 8. Relation to other conveyances authorities.

7 **SEC. 2. DISPOSAL OF ADMINISTRATIVE SITES, ALLEGHENY**
8 **NATIONAL FOREST, PENNSYLVANIA.**

9 (a) DISPOSAL AUTHORITY.—The Secretary of Agri-
10 culture may convey, by sale or exchange, any and all right,
11 title, and interest of the United States in and to the fol-
12 lowing National Forest System lands and administrative
13 sites in the Allegheny National Forest, in Pennsylvania:

14 (1) US Tract 121, Sheffield ranger residence,
15 consisting of 0.41 acres, as depicted on the map ti-
16 tled “Allegheny Unit, Allen M. Gibson Tract 121,
17 March 1942”.

18 (2) US Tract 896, an undeveloped administra-
19 tive site, consisting of 2.42 acres, as depicted on the

1 map titled “Allegheny Unit, Howard L. Harp Tract
2 896, 1947”.

3 (3) US Tract 1047 (formerly Tracts 551,
4 551a,b,c), original Marienville Ranger District
5 Headquarters, consisting of 4.90 acres, as depicted
6 on the map titled “Marienville Ranger Station Com-
7 pound Tract 1047, August 1998”.

8 (4) US Tract 844, Marienville ranger residence,
9 as depicted on the map titled “Allegheny Unit, Peter
10 B. DeSmet Tract 844, 1936”, except that portion of
11 the tract identified as Lot 2, on the Survey Plat pre-
12 pared by D. M. Heller and dated December 12,
13 1999, which is subject to conveyance under section
14 5.

15 (b) PROPERTY DESCRIPTIONS.—The maps referred
16 to in subsection (a) are the primary descriptions of the
17 lands to which the maps refer. In the event of a conflict
18 between a map description and the metes and bounds de-
19 scription of the lands, the map shall be deemed to be the
20 definitive description of the lands unless the map cannot
21 be located. The maps shall be on file and available for
22 public inspection in the Office of the Chief of the Forest
23 Service until the lands are disposed of pursuant to this
24 section.

25 (c) CONSIDERATION.—

1 (1) AUTHORIZED CONSIDERATION.—As consid-
2 eration for a conveyance of land under subsection
3 (a), the recipient of the land, with the consent of the
4 Secretary, may convey to the Secretary other land,
5 existing improvements, or improvements constructed
6 to the specifications of the Secretary.

7 (2) CASH EQUALIZATION.—Notwithstanding
8 any other provision of law, the Secretary may accept
9 a cash equalization payment in excess of 25 percent
10 of the value of any land and administrative site ex-
11 changed under subsection (a).

12 (d) APPLICABLE LAW.—Except as otherwise provided
13 in this section, any conveyance of land under subsection
14 (a) shall be subject to the laws and regulations applicable
15 to the conveyance and acquisition of land for the National
16 Forest System.

17 (e) SOLICITATION OF OFFERS.—

18 (1) CONVEYANCE PRIORITY.—In the selection
19 of the recipient of land under this section, the Sec-
20 retary may give a preference to public entities that
21 agree to use the land for public purposes.

22 (2) TERMS AND CONDITIONS.—The Secretary
23 may solicit offers for the conveyance of land under
24 this section on such terms and conditions as the Sec-
25 retary may prescribe.

1 (3) REJECTION OF OFFERS.—The Secretary
2 may reject any offer made under this section if the
3 Secretary determines that the offer is not adequate
4 or not in the public interest.

5 (f) REVOCATIONS.—Notwithstanding any other provi-
6 sion of law, on conveyance of land by the Secretary under
7 this section, any public order withdrawing the land from
8 any form of appropriation under the public land laws is
9 revoked.

10 (g) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with any conveyance under subsection
13 (a) as the Secretary considers appropriate to protect the
14 interests of the United States.

15 **SEC. 3. CONVEYANCE OF SHEFFIELD RANGER DISTRICT**
16 **HEADQUARTERS, WARREN COUNTY, PENN-**
17 **SYLVANIA.**

18 (a) CONVEYANCE AUTHORIZED.—The Secretary of
19 Agriculture may convey to the Warren County Develop-
20 ment Association of Warren County, Pennsylvania, all
21 right, title, and interest of the United States in and to
22 US Tract 770, Sheffield Ranger District Headquarters,
23 consisting of 5.50 acres, as depicted on the map titled “Al-
24 legheny Unit, Elk Tanning Company Tract 770, 1934”.

1 (b) CONSIDERATION.—As consideration for the con-
 2 veyance under subsection (a), the Warren County Develop-
 3 ment Association shall make to the Secretary a lump sum
 4 payment of \$100,000.

5 (c) PROPERTY DESCRIPTION.—The map referred to
 6 in subsection (a) is the primary description of the lands
 7 to which the map refers. In the event of a conflict between
 8 the map description and the metes and bounds description
 9 of the lands, the map shall be deemed to be the definitive
 10 description of the lands unless the map cannot be located.
 11 The map shall be on file and available for public inspection
 12 in the Office of the Chief of the Forest Service until the
 13 lands are disposed of pursuant to this section.

14 (d) REVOCATIONS.—Notwithstanding any other pro-
 15 vision of law, on conveyance of land by the Secretary
 16 under this section, any public order withdrawing the land
 17 from any form of appropriation under the public land laws
 18 is revoked.

19 **SEC. 4. CONVEYANCE OF RIDGEWAY RANGER DISTRICT**
 20 **HEADQUARTERS, ELK COUNTY, PENNSYL-**
 21 **VANIA.**

22 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 23 Agriculture may convey to Ridgeway Township, Pennsyl-
 24 vania, all right, title, and interest of the United States
 25 in and to US Tract 904, consisting of 8.812 acres, and

1 US Tract 905, consisting of 0.869 acres, Ridgeway Rang-
2 er District Headquarters, as depicted on the maps titled
3 “Allegheny Unit, Harry R. Eliza E. Larson Tract 904,
4 1959” and “Allegheny Unit, Leo S. Laura A. Guth Tract
5 905, July 1948”.

6 (b) CONSIDERATION.—As consideration for the con-
7 veyance under subsection (a), Ridgeway Township shall
8 pay to the Secretary an amount equal to the fair market
9 value of the conveyed lands, as determined by an appraisal
10 acceptable to the Secretary and Ridgeway Township.

11 (c) PROPERTY DESCRIPTION.—The maps referred to
12 in subsection (a) is the primary description of the lands
13 to which the maps refer. In the event of a conflict between
14 a map description and the metes and bounds description
15 of the lands, the map shall be deemed to be the definitive
16 description of the lands unless the map cannot be located.
17 The maps shall be on file and available for public inspec-
18 tion in the Office of the Chief of the Forest Service until
19 the lands are disposed of pursuant to this section.

20 (d) REVOCATIONS.—Notwithstanding any other pro-
21 vision of law, on conveyance of land by the Secretary
22 under this section, any public order withdrawing the land
23 from any form of appropriation under the public land laws
24 is revoked.

1 **SEC. 5. CONVEYANCE OF MARIENVILLE RANGER RESI-**
2 **DENCE, FOREST COUNTY, PENNSYLVANIA.**

3 (a) CONVEYANCE AUTHORIZED.—The Secretary of
4 Agriculture may convey, without consideration, to the
5 Marienville Volunteer Fire Department of Forest County,
6 Pennsylvania, all right, title, and interest of the United
7 States in and to that portion of US Tract 844, Marienville
8 ranger residence, as depicted on the map titled “Allegheny
9 Unit, Peter B. DeSmet Tract 844, 1936”, which is identi-
10 fied as Lot 2 on the Survey Plat prepared by D. M. Heller
11 and dated December 12, 1999.

12 (b) PROPERTY DESCRIPTION.—The map referred to
13 in subsection (a) is the primary description of the lands
14 to which the map refers. In the event of a conflict between
15 the map description and the metes and bounds description
16 of the lands, the map shall be deemed to be the definitive
17 description of the lands unless the map cannot be located.
18 The map shall be on file and available for public inspection
19 in the Office of the Chief of the Forest Service until the
20 lands are disposed of pursuant to this section.

21 (c) REVOCATIONS.—Notwithstanding any other pro-
22 vision of law, on conveyance of land by the Secretary
23 under this section, any public order withdrawing the land
24 from any form of appropriation under the public land laws
25 is revoked.

1 **SEC. 6. DISPOSITION OF FUNDS.**

2 (a) DEPOSIT IN SISK ACT FUND.—The Secretary of
3 Agriculture shall deposit in the fund established under
4 Public Law 90–171 (16 U.S.C. 484a; commonly known
5 as the Sisk Act)—

6 (1) the proceeds of a sale or exchange under
7 section 2; and

8 (2) the consideration received pursuant to sec-
9 tions 3(b) and 4(b).

10 (b) USE OF PROCEEDS.—Subject to subsection (c),
11 funds deposited under subsection (a) shall be available to
12 the Secretary, without further appropriation, for—

13 (1) the acquisition, construction, or improve-
14 ment of administrative facilities and sites for the Al-
15 legheny National Forest; or

16 (2) the acquisition of land and interests in land
17 in the Allegheny National Forest.

18 (c) CONDITION ON LAND ACQUISITION.—The acqui-
19 sition of lands in the Allegheny National Forest using
20 funds deposited under subsection (a) is subject to the con-
21 dition that the market value of the acquired lands may
22 not exceed 125 percent of the market value of the lands
23 disposed of under this Act.

1 **SEC. 7. ADMINISTRATION OF LAND ACQUIRED BY UNITED**
2 **STATES.**

3 Lands acquired by the Secretary of Agriculture under
4 section 6(b) or by exchange under section 2 shall be man-
5 aged by the Secretary in accordance with the Act of March
6 1, 1911 (commonly known as the Weeks Act; 16 U.S.C.
7 480 et seq.) and other laws and regulations pertaining to
8 National Forest System lands. For the purposes of section
9 7 of the Land and Water Conservation Fund Act of 1965
10 (16 U.S.C. 460l–9), the boundaries of the Allegheny Na-
11 tional Forest, as adjusted on account of the disposal and
12 acquisition of lands under this Act, shall be considered to
13 be the boundaries of that national forest as of January
14 1, 1965.

15 **SEC. 8. RELATION TO OTHER CONVEYANCES AUTHORITIES.**

16 Except as expressly provided in this Act, nothing in
17 this Act affects any other authority of the Secretary of
18 Agriculture to sell, exchange, or acquire land. Lands au-
19 thorized for disposal under this Act shall not be subject
20 to subchapters II and III of chapter 5 of title 40, United
21 States Code.

Passed the House of Representatives October 5,
2004.

Attest:

JEFF TRANDAHL,

Clerk.